

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JUNE 26, 2001  
COUNTY COMMISSIONERS CHAMBERS  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Bob Workman, Vice Chair  
Bernie Heier  
Larry Hudkins  
Ray Stevens

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk

Absent: Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 19, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Heier moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated June 19, 2001. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 2 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Hudkins moved and Heier seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Cedars Youth Services  
Lincoln Action Program, Inc.**

**MOTION:** Workman moved and Heier seconded approval of motor vehicle tax exemptions for Cedars Youth Services and Lincoln Action Program, Inc. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **REMOVAL OF LATE FILING PENALTY FOR 2001 451A TAX EXEMPTIONS FOR THE FOLLOWING:**

**Belmont Baptist Church  
Nebraska Satsang Society  
Lions N Lambs Daycare**

Norm Agena, County Assessor, recommended that the ten percent late filing penalty be removed. He explained that Neb. Rev. Stat. §49-1203 states if the filing date falls on a Saturday, Sunday or a legal holiday the filing shall be considered timely if postmarked or hand delivered on the next business day.

**MOTION:** Hudkins moved and Workman seconded that the ten percent late filing penalty be removed on 2001 451A tax exemptions for Belmont Baptist Church, Nebraska Satsang Society and Lions N Lambs Daycare. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY FOR THE FOLLOWING:**

**Associates Leasing, Inc.**

Norm Agena, County Assessor, explained that Associates Leasing, Inc. had timely filed their return, however, an amended return was filed in June. He recommended a ten percent late filing penalty be assessed on the new value added.

**MOTION:** Heier moved and Workman seconded to accept the Assessor's recommendation and assess a ten percent late filing penalty on personal property for Associates Leasing, Inc. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT**

**MOTION:** Heier moved and Workman seconded adjournment of the Board of Equalization. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

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Others Present: Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk

Absent: Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 19, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated June 19, 2001. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, June 26, 2001.

**MOTION:** Heier moved and Workman seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to the County-City Building Information Desk Volunteers.

B. Dee Lee, Election Commissioner's Office, was recognized as Leadership Link's "Manager of the Year".

3) **SPECIAL PRESENTATIONS CONTINUED:**

**C. Appointment of Eldon Wilhelm to the Veterans Service Committee for a five year period, commencing July 1, 2001.**

**MOTION:** Hudkins moved and Workman seconded approval. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

**D. Certificates for in-car cameras were presented to the Lancaster County Sheriff and the Nebraska State Patrol by Julie Hinds, President of the Lancaster County Chapter of Mothers Against Drunk Driving.**

4) **PUBLIC HEARINGS:**

**A. Application for Corporate Manager from Jean J. Baney in connection with a Class E (Beer Off Sale Only) and a Class K (Wine Off Sale Only) liquor license for Whitehead Inc. d/b/a U-Stop Convenience Shop located at 6600 North 84<sup>th</sup> Street in Lancaster County, Nebraska.**

The Chair opened the public hearing.

(It was noted that the applicant's name is Jolene Baney and not Jean J. Baney.)

Jolene Baney, applicant, appeared and stated she became the manager of the U-Stop on May 21, 2001. She added that most of the employees are taking classes regarding the responsibilities of selling alcohol.

The Chair recessed the hearing and noted that action would not be taken until Tuesday, July 10, 2001.

**B. Issuance, Sale and Delivery of Revenue Bonds of Hospital Authority Number 1 of Lancaster County, Nebraska, Series 2001 (BryanLGH Medical Center Project) in the maximum aggregate face amount of \$90,000,000.**

The Chair opened the public hearing and asked if anyone wished to appear.

Lauren Wismer, bond counsel, explained that the County Board is required, under Section 142F of the Internal Revenue Code, to approve the issuance of tax exempt bonds for non-governmental entities.

4) **PUBLIC HEARINGS CONTINUED:**

Roger Jorgenson, Chief Financial Officer with BryanLGH, explained that the majority of the money would be spent on the west campus (formerly Lincoln General) for renovation and new construction, including a new parking ramp and new emergency and mental health facilities. Renovation of all floors will also be completed and surgery suites will be expanded.

Jorgenson stated the west campus would be expanding the cardiac facilities and the school of nursing, as well as constructing an additional parking ramp.

In response to a question asked by Campbell, Jorgenson stated that the project would commence in July and be completed in 2005.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

**C. Comprehensive Plan Amendment 94-61, requested by the Director of Planning, for an amendment to the 1994 Lincoln/Lancaster County Comprehensive Plan to designate land near Northwest 27<sup>th</sup> Street and West Fletcher Avenue as inside the "Future Service Limit" and to include West Fletcher Avenue from Northwest 12<sup>th</sup> to Northwest 31<sup>st</sup> Streets and a new interchange at Northwest 27<sup>th</sup> Street and Highway 34 in the future road network and transportation plans.**

The Chair opened the public hearing and asked if anyone wished to testify.

Steve Henrichsen, Planning Department, stated the City Council approved the amendment on June 25, 2001. He said the Council made one change to the introductory language clarifying that the future design of Northwest 13<sup>th</sup> Street and West Fletcher Avenue would be brought back to the City Council in the future.

Henrichsen also stated that the Public Works staff and the County Engineer would continue to work on Wildrose Lane.

Hudkins stated it was his understanding that West Fletcher Avenue would not automatically be extended to Northwest 31<sup>st</sup> Street.

Henrichsen responded that that was correct. He stated it was included in the plan for potentially being paved, but it would be a part of the discussions to be held over the next few weeks.

4) **PUBLIC HEARINGS CONTINUED:**

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

**MOTION:** Heier moved and Stevens seconded approval of Comprehensive Plan Amendment 94-61. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

5) **OLD BUSINESS:**

**A. An agreement with the State of Nebraska Probation Administration to fund a Drug Court Probation Officer for adult offenders, in the annual amount of \$33,864. (C-01-290)**

**MOTION:** Heier moved and Hudkins seconded approval. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

6) **NEW BUSINESS:**

**A. A resolution transferring funds from the General Fund to the Grants Fund. (R-01-49)**

Dave Kroeker, Budget and Fiscal Officer, explained that the drug court would be funded by the Lincoln Police Department this year, however, they cannot release the monies until after they are spent. He explained that a temporary loan is needed to pay the State after which the monies can be obtained from the police department.

**MOTION:** Workman moved and Heier seconded approval. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

**B. A resolution approving the issuance, sale and delivery of Revenue Bonds of Hospital Authority Number 1 of Lancaster County, Nebraska, Series 2001 (BryanLGH Medical Center Project) in the maximum aggregate face amount of \$90,000,000.**

**MOTION:** Hudkins moved and Heier seconded approval. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

C. Referee agreements with Great Plains Appraisal, Robert W. Anderson, Stephen Hanks, Mona R. Kubert, John R. Layman, Daniel D. McKenzie, John McVay, Robert A. Mook, Stan Portsche, Barbara Ramm, John Sullivan, Larry Swanson, Marilyn Tabor, Gregg L. Trautman, Sally Webster, Randall Wilcox, Mathew Wilson and Larry Wrasse. The referees will be used as necessary to hear valuation protests and transmit information to the Board of Equalization. The pay ranges from \$25 to \$90 per hour. (C-01-307 through C-01-324)

**MOTION:** Hudkins moved and Heier seconded approval.

Stevens noted that the pay ranges from \$25 to \$80 per hour instead of \$25 to \$90 per hour.

**ROLL CALL:** Campbell, Heier, Stevens, Workman and Hudkins voted aye.  
Motion carried.

D. An agreement with Senior Vision Services (SVS) to provide primary vision services to the residents of Lancaster Manor, beginning July 1, 2001 and ending June 30, 2002. SVS will provide and file proper documentation in order to receive payment through Medicaid and Medicare for these services. (C-01-305)

**MOTION:** Workman moved and Stevens seconded approval. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

E. An agreement with the Department of Veterans Affairs for the provision of long term nursing home services of VA patients at Lancaster Manor, beginning May 1, 2001 and ending April 30, 2002. The County will be paid based upon the current Medicaid rate. (C-01-298)

**MOTION:** Heier moved and Hudkins seconded approval. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.



6) **NEW BUSINESS CONTINUED:**

**F. A contract with Commonwealth Electric Company, in the amount of \$12,743.25, for installation of ornamental lighting for the new Juvenile Detention Center. (C-01-325)**

David Johnson, Deputy County Attorney, stated the contract with Commonwealth was not part of an allowance modification.

Kerry Eagan, Chief Administrative Officer, stated the funds would come from the contingency money on the bonds. He stated the contract was for road work on Radcliff Street.

**MOTION:** Heier moved and Workman seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

**G. An amendment to a cooperative agreement with the State of Nebraska, Department of Education to extend the agreement period to December 31, 2001. The Community Mental Health Center shall be responsible for the same duties which include the provision of work for individuals with serious mental disorders. (C-01-306)**

David Johnson, Deputy County Attorney, requested that the Board include in their motion a page 2 of 2, under Special Terms and Conditions, which would read as follows: "The parties agree that the funds granted to the County for the period of April 1, 2001 to June 30, 2001 shall be carried over to the amended contract date of June 30, 2001 to December 31, 2001. The parties agree that any excess funds shall remain with the County until after December 31, 2001, unless otherwise provided in a subsequent amendment."

**MOTION:** Heier moved and Workman seconded approval, with the inclusion of a page 2 of 2, under Special Terms and Conditions, reading as follows: "The parties agree that the funds granted to the County for the period of April 1, 2001 to June 30, 2001 shall be carried over to the amended contract date of June 30, 2001 to December 31, 2001. The parties agree that any excess funds shall remain with the County until after December 31, 2001, unless otherwise provided in a subsequent amendment." Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

H. A ballot for plan of reorganization with regard to Factory Card Outlet Corporation. The ballot is from the United States Bankruptcy Court, District of Delaware and the County holds a claim in the amount of \$2,398.56. (M-01-72)

**MOTION:** Workman moved and Stevens seconded approval. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

I. Authorization of Wells Fargo Bank, as Trustee, to disburse \$449,490 from the juvenile detention center bond proceeds to Cheever Construction Company for payment application number 16 as general contractor for the new Juvenile Detention Center and \$3,519.59 to Sinclair Hille Architects for architectural services for the new Juvenile Detention Center. (M-01-77)

**MOTION:** Heier moved and Stevens seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

J. A request from James P. Rocke for a refund of real estate taxes for 1999, in the approximate amount of \$280.80 and a decrease in 2000 taxes of approximately \$279.78. (M-01-76)

**MOTION:** Heier moved and Stevens seconded approval. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

K. An application for a Special Designated License from the Wine Merchants Inc. to hold a reception on Saturday, July 21, 2001 from 3 p.m. to 1 a.m. at Country Pines located at 6305 West Adams in Lancaster County, Nebraska.

**MOTION:** Heier moved and Workman seconded approval. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lincoln City Libraries Director's Report for May, 2001.

7) CONSENT ITEMS CONTINUED:

- B. Setting of a public hearing for Tuesday, July 10, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for a Class E (Beer Off Sale Only) and a Class K (Wine Off Sale Only) liquor license from Salem Oil Company d/b/a Yankee Hill Amoco located at 630 West Prospector Court in Lancaster County, Nebraska.
- C. A leasehold contract for culvert construction between the Lancaster County Engineering Department and Mike and Myron Gerdes, in the amount of \$10, .13 of a mile north on North 1<sup>st</sup> Street and West Raymond Road; Project C.P.-C-319. (C-01-299)
- D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:
  - ▶ Paul K. and Kimberly A. Mignon, in the amount of \$68.75, six-tenths of a mile west of the intersection of South 25<sup>th</sup> Street and Olive Creek Road; Project C.P.-W-141. (C-01-304)
  - ▶ C. Bruce and Gladys M. Robinson, in the amount of \$67.83, approximately 34 feet west of the intersection of 134<sup>th</sup> Street and Saltillo Road; Project C.P.-Q-288. (C-01-303)
  - ▶ Lucile Johnson, Trustee of the Charles A. Johnson Estate, in the amount of \$206.50, one-half mile west of the intersection of Southwest 70<sup>th</sup> Street and Old Cheney Road; Project C.P.-N-218. (C-01-302)
  - ▶ Nancy R. and Ronald F. Smith, in the amount of \$2,760, at 13200 South 68<sup>th</sup> Street; Project STPE-3265(6). (2 contracts) (C-01-300 & C-01-301)

**MOTION:** Workman moved and Hudkins seconded approval of the Consent Items. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

8) OTHER BUSINESS:

Bruce Medcalf, County Clerk, introduced Trish Owen who will be the Deputy County Clerk, beginning June 28, 2001.

9) **ADJOURNMENT**

**MOTION:** Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

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Bruce Medcalf  
County Clerk